



Siskiyou County
Planning Commission Staff Report
March 19, 2025

Agenda Item Number 3
Bennett Zone Change (Z-24-03)

Applicant: Dan Larivee

Property Owners: Orin P. Bennett
1889 Horseshoe Road
East Mershon, GA

Project Summary The project is a proposed Zone Change of approximately 640 acres from Non-Prime Agricultural, 40-acre minimum parcel size (AG-2-B-40) and Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40) to Timber Production (TPZ) in order to align the zoning with the current use of timber management.

Location: The project site is located on Mill Creek Road, south and west of the city of Yreka on APNs 014-200-040 and 014-200-050; Township 44 North, Range 8 West, Section 1, MDB&M.

General Plan: Soils: Erosion Hazard; Slope; Wildfire Hazard

Current Zoning: Non-Prime Agricultural (AG-2-B-40) and Rural Residential Agricultural (R-R-B-40)

Proposed Zoning: Timberland Production (TPZ)

Exhibits:

- A. Draft Resolution PC 2025-004
A Resolution of the Planning Commission of the County of Siskiyou, State of California, recommending that the Siskiyou County Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Bennett Zone Change (Z-24-03) by Adopting a Draft Ordinance Rezoning 640 Acres (APNs 014-200-040 and 014-200-050) from AG-2-B-40 and R-R-B-40 to TPZ
 - A-1. Notations
 - A-2. Recommended Findings
- B. Comments
- C. Timberland Management Plan
 - C-1. Plan Map
- D. Siskiyou County Board Ordinance No. 721, Exhibit "A" - List C

Background

Registered Professional Forester, Dan Larivee, representative for the property owner, Orin Bennett, has applied for a Zone Change to transfer approximately 640 acres from Non-Prime Agricultural, 40-acre minimum parcel size (AG-2-B-40) and Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40) to Timber Production (TPZ). APN 014-500-050 was legally created by a Grant Deed recorded in Siskiyou County Official Records on December 27, 1955, in Volume 361 Page 212. APN 014-200-040 was legally created by Grant Deed recorded in Siskiyou County Official Records on August 28, 1937, in Volume 72, Page 472.

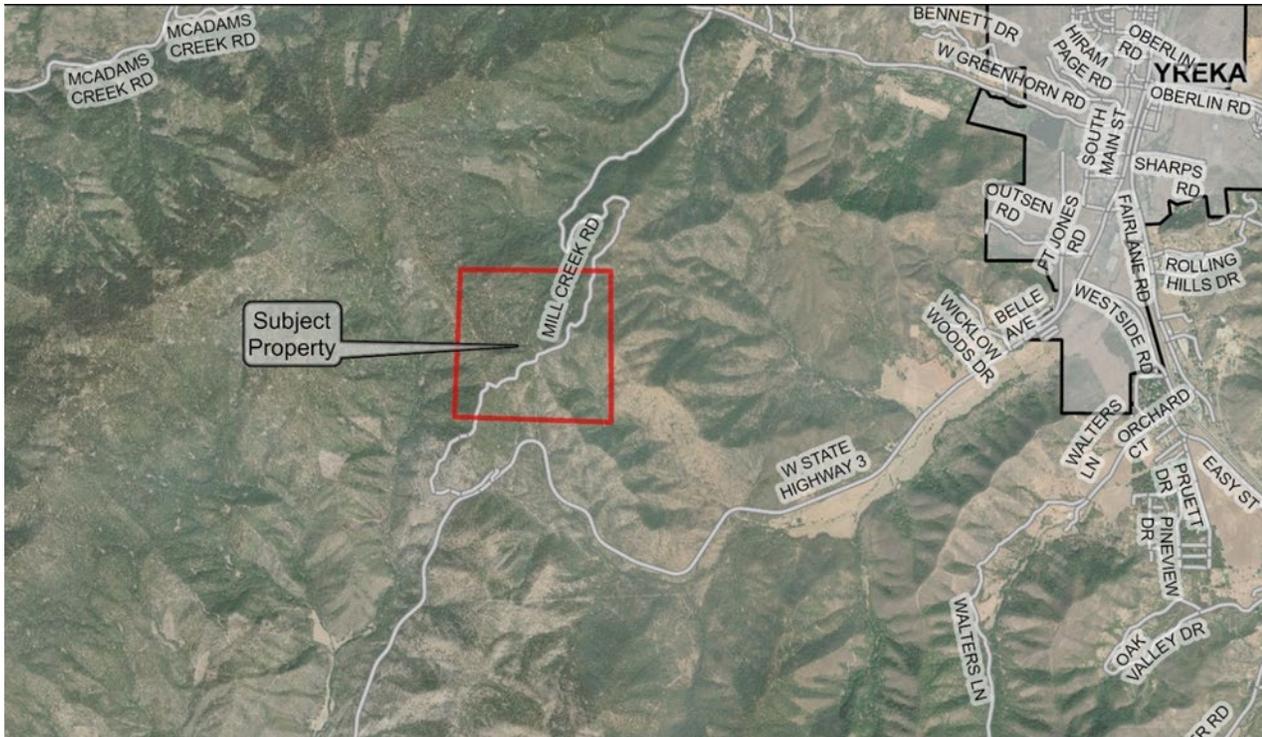


Figure 1: Location Map

Pursuant with Siskiyou County Code Section 10-6.5102, the proposed zoning generally allows for growing and harvesting of timber; compatible uses as defined in Section 51104(h) of the Government Code; recreational and/or educational uses not interfering with the primary purpose of the district; grazing; and a single-family dwelling, provided a Timber Management Plan has been prepared.

Adjacent Parcels

Direction	Zoning	Uses
North	TPZ, AG-2	Timber, Rural Residential
East	AG-2-B-40	Agricultural, Residential
South	AG-2-B-40, RR-B-40	Agricultural, Rural Residential
West	R-R-B-40	Timber, Agricultural

Analysis

The site has previously been used for growing and harvesting timber and some livestock grazing. The applicant is currently proposing to rezone the site to TPZ with proposed uses to include the continuation of growing and harvesting of timber.

Currently, the property is only developed with private roads which run through the property. The project site is mostly forested with small seasonal streams and riparian areas. The forest on the property is a mix of ponderosa pine, Douglas Fir, sugar pine, incense cedar, alder, black oak, and white oak. The surrounding properties are mostly timberland and rangeland.

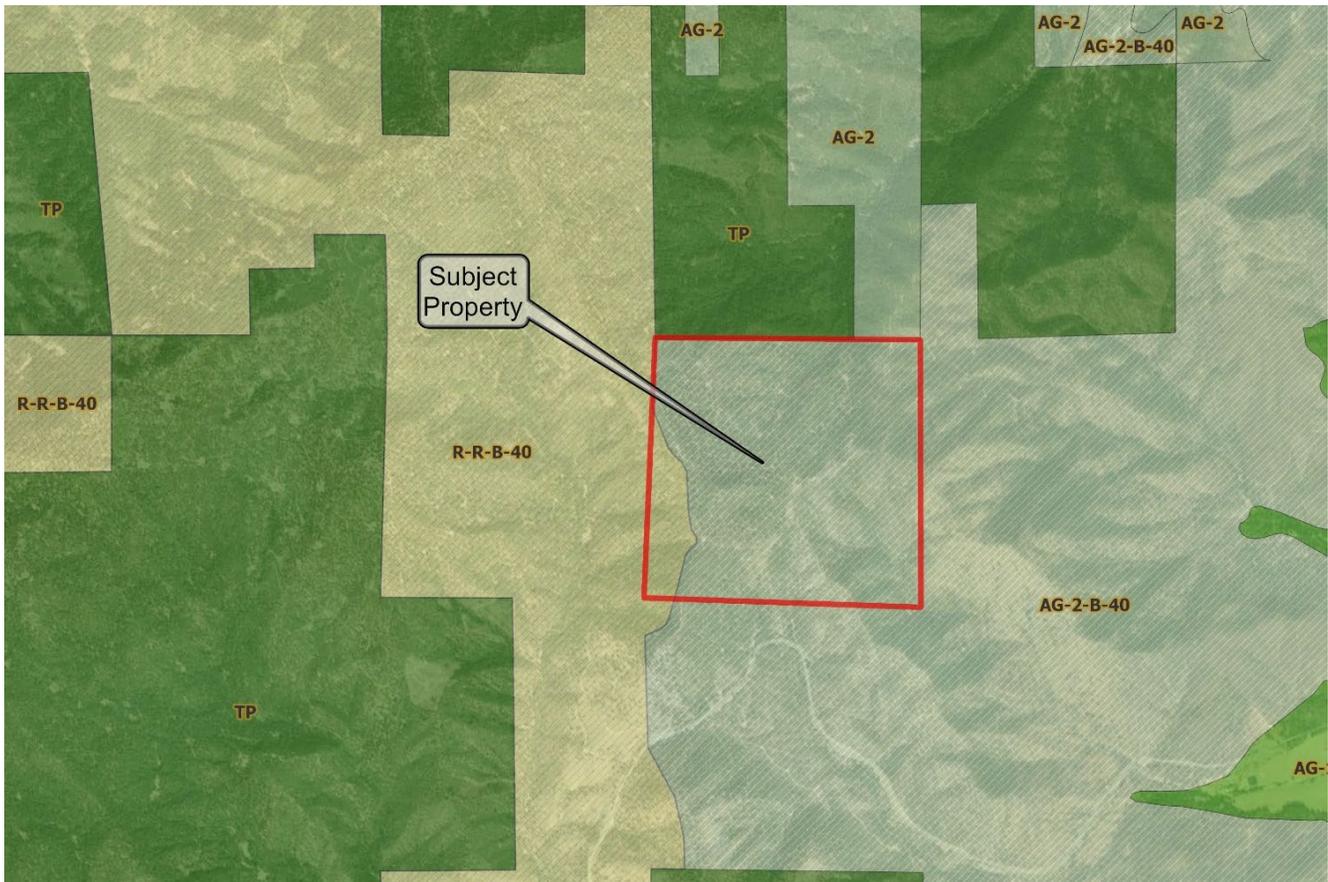


Figure 2: Existing Zoning Map

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General Plan Consistency

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Soils: Erosion Hazard; Slope; Wildfire Hazard-High. In addition, planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.9, 41.12, 41.13, and 41.18 apply to the proposed project.

Staff conducted a detailed analysis of each of the required findings and have found that the proposed project is consistent with the applicable General Plan policies governing the project site. In addition, the use as conditioned would be compatible with the surrounding land uses, would have adequate roadway access for transportation and public health and safety provisions, and would not create environmental impacts to on- or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings section of Exhibit A-2 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

Zoning Consistency

Currently, the subject parcel is zoned Non-Prime Agricultural with a 40-acre minimum parcel size (AG-2-B-40) and Rural Residential Agricultural with a 40-acre minimum parcel size (R-R-B-40). Subsequent to the proposed Zone Change, the area would be rezoned to Timber Production Zone (TPZ), which is consistent with adjacent timber production, rural residential agricultural, and zoned properties in the area.

Pursuant to Siskiyou County Code Section 10-6-5102, permitted uses in TPZ zoning district include growing and harvesting of timber; compatible uses as defined in Government Code Section 51104(h), except where conditionally permitted by County Code; recreational and/or educational uses not interfering with the primary purpose of the district, which purpose is the growing and harvesting of timber; grazing; and a single-family residence provided a Timber Management Plan for the property has been prepared. Proposed uses of the site are consistent with the uses permitted in the TPZ zoning district and surrounding uses.

Land that is to be zoned TPZ shall meet the qualifications for inclusion pursuant to Siskiyou County Code Section 10-6.5104. As the property was not shown on List A or B as land "assessed for growing and harvesting timber as the highest and best use of the land," pursuant to the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976, it must meet the minimum standards adopted by resolution of the Board for inclusion under 'List C' (Exhibit D). A Timberland Management Plan and mapping have been provided which show the subject property meets stocking standards, minimum acreage by site classes and other requirements as detailed in 'List C'.

Section 51104(f) of the California Government Code defines "timberland" as "privately owned land...which is devoted to and used for growing and harvesting of timber, or for growing and harvesting of timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre". Pursuant to Government Code Section 51113(c)(3)(A), "the parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry and Fire Protection for the district in which the parcel is located, or the owner shall sign an agreement with the board or council to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement." The subject parcel meets the stocking standards required by California Public Resources Code Section 4561 as evidenced by the Timberland Management Plan (Exhibit C) and Site Class Map submitted by the applicant (Exhibit C-1).

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Williamson Act Contract

All property that is part of this project is encumbered by an existing Williamson Act Contract.

The County's Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts, adopted February 7, 2012 and amended on December 3, 2024, and California Government Code Section 51282 regulate contract cancellations. Additionally, California Government Code Section 51282.5 directs that the County shall approve a cancellation of a contract when the property has been zoned TPZ, with no cancellation fee imposed.

To this end, should the commission recommend the Siskiyou County Board of Supervisors approve the request to rezone the subject property to TPZ and the Board adopt the ordinance to rezone, staff will then provide the board with the petition of cancellation of the Williamson Act Contract.

Based on staff's analysis of the proposed use, staff believes that the necessary findings can be made for the approval of this application.

Environmental Review

The proposed project (i.e., zone change to Timberland Production District) is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15264, *Timberland Preserves*. Pursuant to this section, "local agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq. (Gov. Code, Sec 51119)."

Comments

A Preliminary Project Review was circulated to Siskiyou County Reviewing Agencies and State Responsible Agencies. A Notice of Public Hearing was published in the Siskiyou Daily News on February 26, 2025, and mailed to property owners within 300 feet of the applicant's property. No public comments have been received at the time this staff report was written.

Siskiyou County Environmental Health Division – November 13, 2024

Environmental Health has no objection to the proposed zone change. The parcels have not been reviewed for buildability at this time.

Planning Response: No response necessary.

Siskiyou County Air Pollution Control District – December 20, 2024

The air district has no issues regarding the proposed zone change.

Planning Response: No response necessary.

Siskiyou County Public Works – January 8, 2025

Public Works has no comment regarding this project.

Planning Response: No response necessary.

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California Department of Fish and Wildlife (CDFW) – January 21, 2025

The project area may contain special-status species and sensitive habitats. Future timber harvest will go through the THP process. If uses other than described are proposed, a biological survey should be completed prior to avoid significant impacts.

Planning Response: No response necessary as there are no other uses proposed at this time.

California Department of Forestry and Fire Protection (Cal Fire) – February 6, 2025

Cal Fire has no comment regarding change in zoning for this project. Cal Fire requires future building on the parcel to be compliant with the applicable code section of Public Resources Code 4290.

Planning Response: No response necessary.

Planning Staff Recommendations

- Adopt Resolution PC 2025-004 taking the following actions:
 - Recommend the Board of Supervisors approve the Zone Change request based on the recommended findings and subject to the recommended notations; and
 - Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15264 of the CEQA Guidelines.

Suggested Motion

I move that we adopt Resolution PC 2025-004, A Resolution of the Planning Commission of the County of Siskiyou, State of California, recommending that the Siskiyou County Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Bennett Zone Change (Z-24-03) by Adopting a Draft Ordinance Rezoning 640 Acres (APNs 014-500-040 and 014-200-050) from AG-2-B-40 and R-R-B-40 to TPZ.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Associate Planner
Siskiyou County Planning Division
806 S. Main Street
Yreka, California 96097

Resolution PC 2025-004

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Bennett Zone Change (Z-24-03)

Whereas, an application has been received from Dan Larivee, RPF and representative for Orin Bennett, property owner, to rezone approximately 640 acres from Non-Prime Agricultural (AG-2-B-40) and Rural Residential Agricultural (R-R-B-40) to Timberland Production (TPZ); and

Whereas, the rezone covers the entirety of Assessor Parcel Numbers 014-500-040 and 014-200-050, which is an approximately 640-acre legal parcel; and

Whereas, the proposed rezone was reviewed pursuant to the California Environmental Quality Act (CEQA); and

Whereas, the Planning Division recommended that the project be determined statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15264; and

Whereas, comments received on the project resulted in notations being recommended by staff; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on February 26, 2025; and

Whereas, public hearing notices were provided pursuant to Siskiyou County Code Section 10-2805 *et seq.*; and

Whereas, the Planning Division presented its oral and written staff report on the Bennett Zone Change Z-24-03 at a regular meeting of the Planning Commission on March 19, 2024; and

Whereas, the Planning Division recommended that the Planning Commission recommend that the Board of Supervisors adopt the findings set forth in Exhibit A-2 and approve Zone Change Z-24-03; and

Whereas, on March 19, 2025, the chair of the Planning Commission opened the duly noticed public hearing on the Bennett Zone Change Z-24-03 to receive testimony both oral and written, following which the Chair closed the public hearing, and the Commission discussed the project prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 attached to this resolution; and

Be It Further Resolved that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2, recommends that the Board of Supervisors determine that the project is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15264 and approve the Bennett Zone Change Z-24-03.

It is Hereby Certified that the foregoing Resolution PC 2025-004 was duly Adopted on a motion by Commissioner _____ and seconded by Commissioner _____ at a regular meeting of the Siskiyou County Planning Commission held on the 19th day of March 2025, by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Jeff Fowle, Chair

Witness, my hand and seal this 19th day of March 2025

Hailey Lang, Secretary of the Commission

Exhibit A-1 to Resolution PC 2025-004
Notations

Notations

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon adoption of the CEQA exemptions, a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary in order to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the CEQA exemptions from 35 days to 180 days.
3. The project shall substantially conform to the project description reviewed by the Planning Commission on March 19, 2025, and subsequently approved by the Siskiyou County Board of Supervisors. Any proposed amendment(s) shall be submitted for consideration to the Deputy Director of Planning to determine the review process pursuant to the Siskiyou County Code.
4. The applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers, or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers, or employees, concerning the project, or to impose personal liability against such agents (including consultants), officers, or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and effective prior to the date the application is approved. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

Exhibit A-2 to Resolution PC 2025-004
Recommended Findings

Findings

Zoning Consistency Findings

1. The proposed zone change is consistent with the applicable elements and policies of the Siskiyou County General plan, as documented herein.
2. The proposed zone change is consistent with Siskiyou County Code Title 10, Chapter 6.
3. The proposed zone change from Non-Prime Agricultural, (AG-2-B-40) and Rural Residential (R-R-B-40) to Timberland Production District (TPZ) is consistent with existing and permitted land uses surrounding the project site.
4. The proposed zone change is compatible with the surrounding zoning of Timberland Production District (TPZ).
5. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

Timberland Production Zone Inclusion

1. Government Code Section 51104(f) defines "timberland" as "privately owned land... which is devoted to and used for growing and harvesting of timber, or for growing and harvesting of timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre."
2. The property proposed to be rezoned to TPZ meets the definition of "timberland" per Government Code Section 51104(f).
3. Pursuant to Siskiyou County Code §10-6.5104(b), the parcel that is part of this project meets the minimum standards adopted by resolution of the Board for inclusion under List C for the Timber Land Production Zone District (TPZ).
4. The property to be included in the Timberland Production Zone meets the stocking standards requirements of Government Code Section 51113(c)(3)(A), Public Resources Code Section 4561 and the California Forest Practice Rules 2024.

Exhibit A-2 to Resolution PC 2025-004
Recommended Findings

General Plan Consistency Findings

Composite Overall Policies

Policy 41.3(e) – All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

The use of the land for timber production has been in existence. The use of the land for timber production is clearly compatible with the surrounding area as surrounding parcels are dedicated to forestry or timber production and livestock grazing.

Policy 41.3(f) – All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

The historic and continued use of the land for timber production will not be disruptive or destroy mapped resources.

Policy 41.9 – Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

No new development is proposed as part of this project. Access to the property is via Mill Creek Road, a private road capable of accommodating future timber production activities.

Policy 41.12 – All significant historic and prehistoric places and features when identified shall be preserved and protected in accordance with accepted professional practices.

California Forest Practice Rules require any proposed Timber Harvest Plans to identify and designate historical and archaeological sites and provide protections accordingly.

Policy 41.13 – All rare and endangered plant species as identified and recognized by state and federal government shall be preserved and protected in accordance with accepted professional practices.

California Forest Practice Rules require any proposed Timber Harvest Plans to identify all rare and endangered species and provide protections accordingly.

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan

Exhibit A-2 to Resolution PC 2025-004
Recommended Findings

Map 2: Erosion Hazard

Policy 7 – Specific mitigation measures will be provided that lessen soil erosion, including contour grading, channelization, revegetation of disturbed slopes and soils, and project time (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

No new development is proposed as part of this project.

Map 5: Excessive Slope

Policy 11 – All areas with 30 percent or greater natural slope shall not be developed with facilities requiring septic tanks for sewage disposal.

No new development is proposed as part of this project.

Policy 15 – Areas designated 30 percent or greater natural slope but proven to be less than 30 percent slope shall only be developed when a grading plan for roads, acceptable to the Department of Public Works, has been submitted.

No new development is proposed as part of this project.

Map 10: Wildfire Hazard

Policy 30 – All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

No new development is proposed as part of this project. As part of the building application process, all future development must comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of CAL FIRE.

California Environmental Quality Act (CEQA) Findings

1. This project is statutorily exempt from CEQA in accordance with Section 15264 of the CEQA Guidelines.

SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
LAND DEVELOPMENT REVIEW

OWNER BENNETT, ORIN FILE # 014-200-040, -050

LOCATION SOAP CREEK RIDGE T 44N , R 8W , SEC. 1 PD# Z-24-03
YREKA

REQUIREMENTS:

Sewage Disposal Test/Information:

- None Required: Connection to Approved Sewage System
- Engineered Percolation Tests –
Parcels # _____
- Wet Weather Testing
- Engineered Sewage Disposal System
- Other _____

Water Supply Tests/Information:

- None Required: Connection to Approved Water System
- Well Logs (Existing Wells) Well Logs for Adjoining Property
- Drilled Well – Parcels # _____ Spring Source-Verification
- Pump Test (Static Level) _____ Hours
- Bacteriological Analysis Chemical Analysis Physical Analysis
- Other _____

Project Information:

- Location Map Mark Project Area Contour Map
- Food Establishment Plans Swim Pool/Spa Plans
- Waste Information (Non-Sewage)
- Other _____

Comments/Conditions:

Environmental Health has no objections to this project.

Parcels have not been reviewed for buildability at this time.

REHS *De Weck* DATE 11/13/24

ENVIRONMENTAL HEALTH ACTION

Application Accepted Application Rejected as Incomplete (see comments)

- Approved Recommended for Denial
- Approved with conditions (see comments)

REHS *De Weck* DATE 11/13/24

Date sent to Planning:

From: [Terry E. Smith](#)
To: [Dianne Johnson](#)
Cc: [Jeremy Lipke](#)
Subject: RE: Z-24-03 15 DAY REVIEW
Date: Wednesday, January 8, 2025 8:22:46 AM

Dianne,

Publick Works has reviewed the proposed zone change (Z-24-03) and has no comment.

Terry E. Smith P.E.

Senior Engineer

County of Siskiyou

Department of Public Works

1312 Fairlane Road, Suite 3

Yreka, CA 96097

Office: (530) 842-8278

Fax: (530) 842-8288

tesmith@co.siskiyou.ca.us

From: Dianne Johnson <dmjohnson@co.siskiyou.ca.us>

Sent: Tuesday, January 7, 2025 3:19 PM

To: James Smith <jsmith@co.siskiyou.ca.us>; Boyl, Heather@CALFIRE <Heather.Boyl@fire.ca.gov>; Rivera, Liliana@CALFIRE <liliana.rivera@fire.ca.gov>; northcoast@waterboards.ca.gov; stephanie.houtman@wildlife.ca.gov; Craig Kay <ckay@co.siskiyou.ca.us>; Darin Weeks <dweeks@co.siskiyou.ca.us>; Eric Olson <eolson@co.siskiyou.ca.us>; Jeff Clausen <jclausen@co.siskiyou.ca.us>; Jennifer Taylor <jtaylor@co.siskiyou.ca.us>; Jeremy Lipke <jlipke@co.siskiyou.ca.us>; Monique George <mgeorge@co.siskiyou.ca.us>; Terry E. Smith <tesmith@co.siskiyou.ca.us>; Thomas Deany <tdeany@co.siskiyou.ca.us>

Subject: FW: Z-24-03 15 DAY REVIEW

Good afternoon,

I inadvertently sent you the applicants application complete notice. Please see attached 15 Day Review. Responses must be in by January 21, 2025.

Thank you,

Dianne Johnson

Planning Permit Technician

Siskiyou County Community Development

From: [Darin Weeks](#)
To: [Dianne Johnson](#); [Wildlife R1 CEQA Redding](#); [James Smith](#); [Boyl, Heather@CALFIRE](#); [Rivera, Liliana@CALFIRE](#); [Ray Haupt](#); [northcoast@waterboards.ca.gov](#); [Craig Kay](#); [Jeff Clausen](#); [Jennifer Taylor](#); [Jeremy Lipke](#); [Monique George](#); [Terry E. Smith](#); [Thomas Deany](#)
Cc: [dplarivee@yahoo.com](#); [Orin Bennnett](#)
Subject: RE: Z-24-03 15 DAY REVIEW
Date: Friday, December 20, 2024 4:54:23 PM

Dianne,
There are no issues with the air district regarding Z-24-03.
Thank you,

[Darin Weeks](#)

Air Pollution Specialist
Siskiyou County APCD
Email: dweeks@co.siskiyou.ca.us
525 South Foothill Drive
Yreka, CA 96097-3090

From: Dianne Johnson <dmjohnson@co.siskiyou.ca.us>
Sent: Friday, December 20, 2024 4:39 PM
To: Wildlife R1 CEQA Redding <R1CEQARedding@wildlife.ca.gov>; James Smith <jsmith@co.siskiyou.ca.us>; Boyl, Heather@CALFIRE <Heather.Boyl@fire.ca.gov>; Rivera, Liliana@CALFIRE <liliana.rivera@fire.ca.gov>; Ray Haupt <rhaupt@co.siskiyou.ca.us>; northcoast@waterboards.ca.gov; Craig Kay <ckay@co.siskiyou.ca.us>; Darin Weeks <dweeks@co.siskiyou.ca.us>; Eric Olson <eolson@co.siskiyou.ca.us>; Jeff Clausen <jclausen@co.siskiyou.ca.us>; Jennifer Taylor <jtaylor@co.siskiyou.ca.us>; Jeremy Lipke <jlipke@co.siskiyou.ca.us>; Monique George <mgeorge@co.siskiyou.ca.us>; Terry E. Smith <tesmith@co.siskiyou.ca.us>; Thomas Deany <tdeany@co.siskiyou.ca.us>
Cc: dplarivee@yahoo.com; [Orin Bennnett <orinbennetteight@gmail.com>](mailto:orinbennetteight@gmail.com)
Subject: Z-24-03 15 DAY REVIEW

Good afternoon,

Attached is the 15 day review for application Z-24-03. Please note, that all responses to the application must be received by January 10, 2025.

Thank you,

Dianne Johnson

Planning Permit Technician
Siskiyou County Community Development
806 S. Main Street, Yreka, CA 96097
530-841-2148



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



January 21, 2025

Dianne Johnson
Planning Division
Siskiyou County Community Development
806 S. Main Street
Yreka, CA 96097

**SUBJECT: REVIEW OF THE EARLY SCOPING FOR ZONE CHANGE APPLICATION,
ASSESSOR'S PARCEL NUMBER 014-200-040, SISKIYOU COUNTY**

Dear Dianne Johnson:

The California Department of Fish and Wildlife (Department) has reviewed the Project for the Zone Change Z-24-03 (Project). The Project is located off Soap Creek Ridge, in Siskiyou County. The Department offers the following comments and recommendations on the Project in our role as the State's trustee for fish and wildlife resources, and as a responsible agency under the California Environmental Quality Act (CEQA), California Public Resources Codes §21000 *et seq.* The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

Project Description

The Project proposes to rezone approximately 640 acres from AG-2-40 (Non-Prime Agricultural District) and R-R B-40 (Rural Residential Agricultural District) to TPZ (Timberland Production District). The Project is located in an unincorporated area of Siskiyou County on Assessor's Parcel Number 014-200-040. The area contains the headwaters of many creeks, including Yreka Creek which has populations of anadromous fish.

Comments and Recommendations

The Department has the following recommendations and comments as they pertain to biological resources.

Conserving California's Wildlife Since 1870

Dianne Johnson, Planning Division
Siskiyou County Community Development
January 21, 2025
Page 2

Biological Resources

A visual analysis of aerial imagery, and a California Natural Diversity Database (CNDDDB) query, demonstrate that the Project area may contain suitable habitat for additional special-status species and sensitive habitats. The desktop review indicated that there are several special status species that have been observed within the project boundaries. Identified species include: Yreka phlox (*Phlox hirsuta*) state endangered, Scott Valley phacelia (*Phacelia greenei*) CNPS 1B.2, Leech's skyline diving beetle (*Hydroporus leechi*) S2/S3, state threatened Northern Spotted Owl (*Strix occidentalis caurina*) and American goshawk (*Accipiter atricapillus*) state species of special concern. In addition, there are two documented Northern Spotted Owl activity centers and observation of Fisher (*Pekania pennanti*), state species of special concern, adjacent to the land that could be impacted by changes in the habitat. Future timber harvest will go through the Timber Harvest Plan (THP) process under the California Foresta Practice Rules. If uses other than described are proposed, then a biological survey should be completed and mitigation or avoidance measures developed for identified significant impacts to fish and wildlife.

If you have any questions, please contact Stephanie Houtman, Environmental Scientist, at (530) 806-1522, or by email at Stephanie.Houtman@wildlife.ca.gov .

Sincerely,

DocuSigned by:

AA601B4C4B11422...

Michael Harris, Klamath Watershed Environmental Program Manager
Northern Region

ec: Stephanie Houtman
California Department of Fish and Wildlife

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

1809 Fairlane Road
P.O. Box 128
Yreka, CA 96097
(530) 842-3516
Website: www.fire.ca.gov



02/06/2025

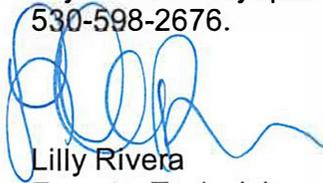
Siskiyou County Department of Public
Health and Community Development
806 South Main Street
Yreka, CA 96097-3321

Attention: Dianne Johnson, Permit Planning Technician

Subject: Bennet, (Z-24-03)

CAL FIRE has no comment regarding change in the zoning for this project. CAL FIRE requires future building on the parcel to be compliant with the applicable code sections of Public Resource Code 4290.

If you have any questions, please call Lilly Rivera at 530-598-2635 or Heather Boyl at 530-598-2676.



Lilly Rivera
Forestry Technician

For: Greg Roath
Siskiyou Unit Chief

Attachment cc: file

TIMBERLAND MANAGEMENT PLAN

PREPARED FOR ORIN P. BENNETT

**640 ACRES
LOCATED IN SECTION 1
T44N R8W MDM&B**

**PREPARED BY
DAN LARIVEE
REGISTERED PROFESSIONAL FORESTER #2382
SEPTEMBER 24, 2024**

Forest Management Plan for Inclusion into TPZ Zone

Landowner: Orin P. Bennett

Address: 1889 Horseshoe Road E. Mershon GA 31551-9027

a) Access:

The property is accessed via Soap Creek Ridge Road and Mill Creek Road. The Soap Creek Ridge Road is accessed from State Route 3 south of Yreka. Mill Creek Road is tributary to Greenhorn Road. Both of these roads have been used since the ranch was owned by the Burton family and I would assume earlier. Soap Creek Ridge Road was improved by the CCC's during the depression. The access is not deeded.

b) Age & Condition:

The stands form a mosaic of all aged groupings affected primarily by aspect, soils, and the intensity of the last timber harvest. Ages range from seedling and saplings to larger mature stands (50-100 years old and scattered older seed trees (100 years +).

The conditions across the ownership range from good to fair. The south facing slopes in the southeast quarter of the Section have fewer trees per acre but appears to be at carrying capacity. The predominant species are ponderosa pine, followed by incense cedar with some Douglas-fir. The east and north facing slopes produce stands of mixed conifers dominated by Douglas-fir and ponderosa pine, also present in lesser amounts are sugar pine, white fir, incense cedar, alder, black and white oak. The primary needs revolve around thinning. There is a need to thin the areas with dense stands of saplings and small sawlogs that are overcrowded. This is most evident in the area east of Soap Creek Ridge Road and north of the Mill Creek Road intersection. The stands in this area are accessible by two roads, the slopes are mild and the trees are at an age where they will respond to treatment.

There are portions of the property that have been salvage logged in order to reduce continued mortality. Regular inspections will help to keep mortality in check.

There are several seasonal watercourses on the property. During

operations these watercourses have been protected from heavy equipment. These watercourses appear to be in good shape, many have had little to no disturbance. The riparian habitat is present in varying amounts along several of the watercourses. These wet areas hold pocket water into the summer months providing habitat for wildlife.

c.) Owners Managements Objective:

The landowner's objectives are to maintain, restore, and enhance the forest resources on the ownership. The landowner maintains a healthy forest condition which includes timber production, while enhancing other values including wildlife habitat, watershed management, and fuel reduction. The landowner is knowledgeable regarding forest management. The landowner has been on the property, assessing conditions, several times.

d.) Insect & Disease Control:

The best defense against insects and disease is a well-regulated forest. Removing dead, dying and diseased trees using CalFire's Exemption process has been accomplished from time to time over portions of the ownership. These light salvage harvests are designed to maintain a healthy overall stand condition.

Continued drought has often been the driver in the timing of sanitation salvage cutting.

In order to help reduce mortality and fuel loading the California Forest Improvement Program could be utilized for cost share funds in order to carry out pre-commercial thinning and fuel treatment.

e.) Stocking:

The property is obviously stocked according to the Forest Practice Rules (FPR). Both the 40-acre parcel and the 600-acre parcel are well Stocked, and meet the requirements of the FPR. Stocking across the property ranges from well stocked to overstocked. There are no areas currently in need of planting. The sporadic wet areas that support grasses are becoming encroached by trees. Stocking on south facing slopes in the south-central portion of the property is not as dense but the soils in this area appear to be at carrying capacity and meet the requirements of the Forest Practice Rules

f.) Fire Protection, Protection Against Trespass:

The property is bisected by two main natural surface roads. Mill Creek Road off of Greenhorn Road, and the Soap Creek Ridge Road which is accessed via State Route 3. Both of these roads are accessible by fire truck.

The property is gated in three places. The Mill Creek Road is gated as well as the Soap Creek Ridge Road. The Mill Creek Road has a second gate on a spur road off of Mill Creek Road. This gate was

installed many years ago, when the Mill Creek Road was open to traffic. The gate on Mill Creek Road has had the lock broken on more than one occasion. Regular patrols during hunting season as well as other times can help prevent damage from people who trespass. The patrol person for the industrial ownership that is adjacent to the property has been given permission to patrol the Bennett ownership as well. The gates on Soap Creek and Mill Creek Roads also help to protect the ownerships further up the ridge.

g.) Timetable for Timber Harvesting:

As was previously mentioned the landowner has conducted sanitation salvage operations over a portion of the property. Future harvesting will depend upon both stand conditions and market conditions. The property has merchantable timber in virtually all areas at present. Timber Harvesting Plans are good for multiple years and provide flexibility to time timber harvests with good market conditions. The exemption process offers several options to harvest timber in response to adverse conditions such as drought or damage by wind or fire with minimal paperwork.

h.) Schedule for Inventory:

Forest Inventories are designed to estimate the quality and quantity of the trees in the forest. This can be as simple as an estimate of the standing timber on an ownership. An inventory can also be more extensive, taking into account estimates of growth and mortality. An inventory may also measure other values such as watershed and wildlife habitat conditions, habitat for rare or endangered species or other non-wood values such as recreation or fuel loading.

There has been no formal timber cruise on the property. Prior to conducting any forest inventory work the planning process should address the following items:

1. What attributes the inventory shall measure.
2. Time and funds available for the inventory.
3. The forest classification system to be used.
4. The sampling design.
5. Type of photos and maps to utilize.
6. The training of the personnel involved.
7. The logistical support necessary to effectively assess the property.

Recommendations for forest inventory are:

1. A low intensity cruise to assess imminent mortality in merchantable trees.
2. Evaluate the areas where pre-commercial thinning is necessary. Sites which yield the potential for successful release should be identified.

3. Regular monitoring of timber stands (every one to two years) to check for bark beetle activity in pine and Douglas-fir. If beetle activity is noted the stands should be addressed to mitigate the beetle activity through harvesting and proper slash treatment.
4. Evaluation of areas that will benefit from planting projects. Areas should be ranked based on soils and topography.

i.) Landowner's Management of the Property:

The landowner is in the agricultural business. He is well versed in species identification and market value of such. Mr. Bennett has sought out professional advice regarding sanitation salvage harvesting as well as general recommendations for management. The property has been evaluated periodically for adverse effects caused by continued drought.

j.) Signatures:

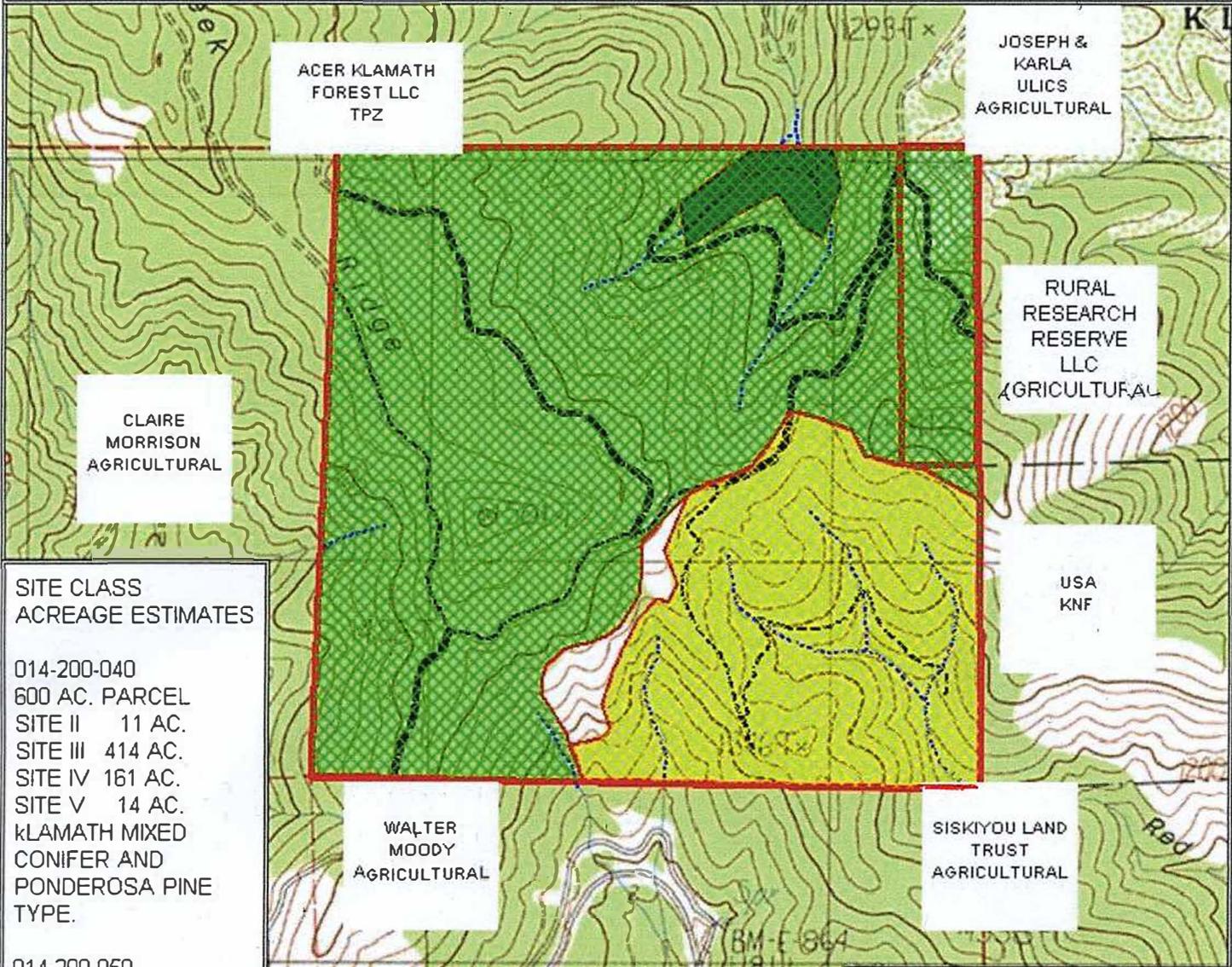
DocuSigned by:
Dan P. Larivee 9/25/2024
85F414338F3543F

RPF

Signed by:
Orin P. Bennett 9/24/2024
2EB88ED6E2AC45A

Landowner

**ORIN P. BENNETT ZONE CHANGE APPLICATION MAP
 CONSISTING OF TWO PARCELS TO BE ZONED TPZ
 APN 014-200-040 600 AC. SECTION 1 T44N R8W MDM&B
 APN 014-200-050 40 AC. SECTION 1 T44N R8W MDM&B
 MAP DERIVED FROM 7.5' YREKA QUADRANGLE, CONTOUR INTERVAL 20 METERS
 ALL ROADS ARE NATURAL SURFACE, NO BUILDINGS ARE ON THE PROPERTY OR WITHIN 100 FEET**



**SITE CLASS
 ACREAGE ESTIMATES**

014-200-040
 600 AC. PARCEL
 SITE II 11 AC.
 SITE III 414 AC.
 SITE IV 161 AC.
 SITE V 14 AC.
 KLAMATH MIXED
 CONIFER AND
 PONDEROSA PINE
 TYPE.

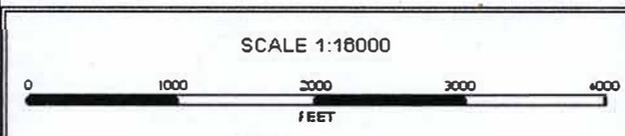
014-200-050
 40 AC. PARCEL
 SITE III 40 AC.
 KLAMATH MIXED
 CONIFER TYPE

LEGEND

- BOUNDARY
- EXISTING ROAD
- WATERCOURSE
- SITE II LANDS
- SITE III LANDS
- SITE IV LANDS
- SITE V LANDS

*No
 UNSTOCKED
 AREAS*

Declination
 ★
 G.M.N.
 GN 0.19° E
 MN 15.39° E



PREPARED BY DAN LARIVER RPF #2382 2/11/2025

Provided by:

ASSESSOR'S CADASTRAL MAP

RSB 15-100

T 44 N R 8 W

Tax Area Code
69-02

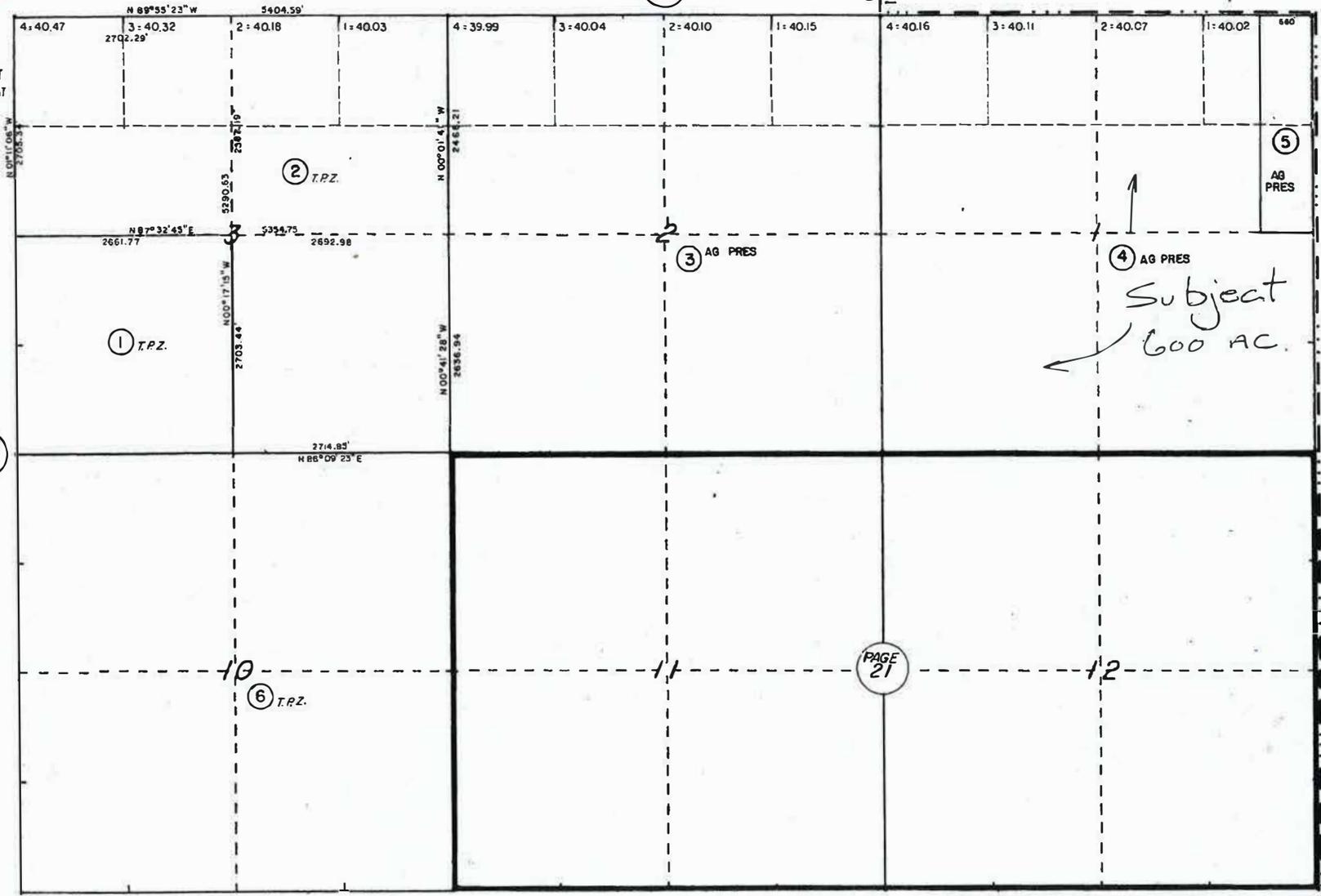
14-20

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69-02
125-01



- 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
- 2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
- 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.



Subject 40 AC.

Subject 600 AC.

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PAGE 21

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Assessor's Map
County of Siskiyou, California

69-02
125-01

RESOLUTION ADOPTING THE CRITERIA
FOR LIST "C" FOR TIMBER PRESERVE
ZONING

WHEREAS, pursuant to Section 51100 of the
Government Code the Board of Supervisors has adopted procedures
for zoning Timber Land preserve and,

WHEREAS, the Board of Supervisors formed a
Timber Advisory Committee and has requested said committee to
prepare a criteria for inclusion of timberland under List "C",
and;

WHEREAS, the Timber Preserve Advisory Committee
on February 15, 1978 prepared said criteria for presentation to
the Board of Supervisors and;

WHEREAS, the Board of Supervisors has reviewed
said criteria and deemed said criteria appropriate;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF
SUPERVISORS has adopted the attached Exhibit "A" as the criteria
for List "C" for Timber Preserve zoning.

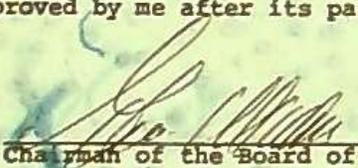
The foregoing resolution was adopted at a
regular meeting of the Board of Supervisors of the County of
Siskiyou, State of California, held the 11th day of April 1978 by
the following vote:

AYES: Supervisors McArdle, Hayden, Belcastro and Torrey.

NOES: None.

ABSENT: None.

Signed and approved by me after its passage this
11th day of April 1978.


Chairman of the Board of Supervisors

ATTEST: Norma Price, County Clerk

by 
Deputy

RESOLUTIONS
NO. 119
BOOK 8

EXHIBIT "A"
CRITERIA FOR LIST C

TO BE CONSIDERED FOR INCLUSION INTO TIMBER PRESERVE ZONING
ALL APPLICANTS SHALL PROVIDE THE FOLLOWING INFORMATION AND/
OR MEET THE FOLLOWING MINIMUM STANDARDS:

- 1) Map showing legal description and the assessor's parcel number(s) and map(s). Additionally, as part of the management plans, the map shall contain the following elements.
 - a.) stated scale (scale shall not be less than 4 inches per mile).
 - b.) location of existing roads and principal streams.
 - c.) broad timber types including any unstocked areas.
 - d.) estimated site classes.
 - e.) name of owners of surrounding lands and type of zoning.
 - f.) total number of areas in parcel.
 - g.) total number of stocked areas.
 - h.) total areas of the various site classes.
 - i.) date.
 - j.) name of preparer.

- 2) A plan for forest management of the parcel prepared by, or approved as to content by a registered professional forester. The plan shall address the following considerations:
 - a.) Status of access, both legal and physical.
 - b.) Approximate age and condition of forest stands.
 - c.) Statement of owner's objective in owning and managing the property.
 - d.) Measures to be employed for the control of insects & diseases.
 - e.) Measures, if any, for stocking understocked areas and for treating overstocked areas.
 - f.) Plan for protection from fire, trespass and other agents.
 - g.) Timetable for eventual harvest.
 - h.) Schedule for inventory.
 - i.) Evidence that the owner possesses the knowledge to manage the forest property, or has sought advice and information from appropriate sources.
 - j.) Signature and License number of Registered Professional Forester.
 - k.) Signature of owner
 - l.) Date.

- 3) The parcel shall currently meet the stocking standards of the Forest Practice Rules, or the owner must enter into an agreement with the Board to meet the standards within five years.

4) The parcel shall contain a minimum equivalency to 40 acres of site Class III Timberland to the following productivity scheduler:

<u>Site Class</u>	<u>Minimum Number of Acres*</u>	<u>Minimum Parcel Equivalency</u>
I	18 Acres	2.2:1
II	25 Acres	1.6:1
III	40 Acres	1:1
IV	80 Acres	1:2
V	120 Acres	1:3

* Based on Relative productivity of Site Classes.
Tech. Bulletin #354 USDA Dunning & Reineke